

Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605

May 23, 2019

IN RE:  
Alan Moldawer v. Code Enforcement Officer

Chair  
Board of Appeals  
Town of Lamoine  
Lamoine, Maine 04605

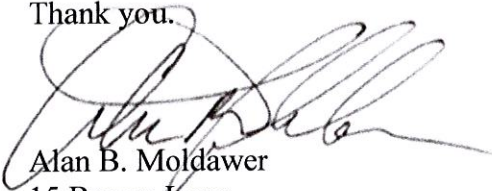
To the Chair:

You requested that all interested parties provide the Board with dates and copies of all emails letters, and dates/contents of any telephone calls relevant to the matter of the timeliness of my appeal of the Code Enforcement Officer's determination communicated to me on April 3, 2019.

Enclosed herewith are copies of all emails and letters. I had no telephone conversations with the CEO or John Holt.

I understand the Board will be distributing copies of this letter and attached documents to the parties. I hope that it is helpful to the Board determining that my appeal is, indeed, timely.

Thank you.



Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605  
301-526-2695

**From:** [alanbmoldawer@gmail.com](mailto:alanbmoldawer@gmail.com) [mailto:[alanbmoldawer@gmail.com](mailto:alanbmoldawer@gmail.com)]  
**Sent:** Monday, April 08, 2019 10:09 AM  
**To:** 'Rebecca Ann Albright' <[dreaminadrum@gmail.com](mailto:dreaminadrum@gmail.com)>; [town@lamoine-me.gov](mailto:town@lamoine-me.gov)  
**Cc:** [alanbmoldawer@gmail.com](mailto:alanbmoldawer@gmail.com)  
**Subject:** True Property

Dear Rebecca and John:

Can you please forward this to John Holt?

Thank you for your letter of April 3, 2019 regarding the measurements you took of the True house and the conclusions you drew from them. However, questions remain. The applicable Town Building and Land Use Code sections regarding the permitted height of a residential building are the following, I believe.

**SECTION 6. CONSTRUCTION STANDARDS (p. 13)**

- A. Height: No principal or accessory conventional structure shall exceed two stories in height nor shall any structure exceed 35 vertical feet (See definition of building height), except for municipal buildings, steeples, silos, detached barns, water towers or other accessory structures not designed for human habitation.**

**Section 17. Definitions (p. 56)**

**B. Definitions of key terms**

**Building Height: The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater. (Emphasis on "whichever is greater.")**

As can be observed at the site (as well as in photos taken of the site before construction), the finished grade was raised substantially above original grade in order to boost the height of the house. By a straightforward reading of the definition of Building Height, the building height in this case is required to be measured not from the highest point to the "rough finished grade" as you state, but from the highest point to the "average grade of the original ground." Quite clearly, the distance from the highest point to the average original grade is considerably greater than the finished grade.

I don't clearly understand your statement in your letter that the "bottom line" is that the structure measures 28' 10", thus leaving 6'2" of additional height. How does a measurement from the highest point of the house (the ridge) to the "Bottom Trim Board" (as noted on your worksheet) have any relevance here? Is it to suggest that there would be 6'2" allowed from the trim board down to the average original grade and that you have determined that it is less than 6'2" to original grade? That would be very hard to believe given what we know of the original grade. See photo. The original grade, at its highest point, was no higher than where their driveway is.

Most significant here is the fact that the distance to the average original grade is what must be measured, not the finished grade. Thus, the distance from the highest point to the "final grade, 3/27/2019" is the wrong measurement. Why has not the Town applied the language of the Code to measure the building height?

Finally, I don't understand the significance of reference to the slope of the lot, except that as the original grade sloped downward toward sea level, the building height must be lowered also. The downward slope of the original grade potentially makes the average distance greater, not less. Fill, in this case, must be disregarded.

This structure clearly exceeds 35' from the ridge to the average original grade. The builder knew that in raising the foundation to a height well above original grade and then raising the grade.

I am sorry that I cannot get into the Town Hall this week, but want to continue to try to understand the application of the Code to this property. It does not appear that it is being applied correctly, and I want to continue this complaint. Thank you.



Thank you.

Alan

Alan B. Moldawer  
Attorney at Law  
15 Brown Lane  
Lamoine, Maine 04605  
301-526-2695  
Admitted Maryland and District of Columbia  
Corporate Illinois

**alanbmoldawer@gmail.com**

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**From:** John Holt & Joyce Cornwell <johnjoyce@twc.com>  
**Sent:** Monday, April 08, 2019 3:15 PM  
**To:** alanbmoldawer@gmail.com; 'Rebecca CEO'  
**Cc:** town@lamoine-me.gov  
**Subject:** FW: True Property  
**Attachments:** IMG\_7056 (002).jpg

Dear Alan Moldawer:

I assisted CEO Albright on March 27 in measuring the elevation of the ridge of the True building at 8 points around the perimeter of the building foundation, the six external corners of the two sections and the two internal corners where the larger and smaller sections of the building are joined. We determined that the distance from the elevation of the ridge to the base of the lowest trim board was 28'10". From the base of the lowest trim board we measured to the existing rough finished grade at each of the 8 points and added the 28'10" structure height. Using the combined average of the two measurements along the Marlboro Beach Road side and the two measurements along the water side yielded an average height of less than 35 feet. Presumably, the average height would be reduced further once the final grade is raised by the addition of topsoil.

However, the basis of your complaint is your assertion that the original grade of the land where the building now sits was lower than the existing rough finished grade. Unfortunately, there is no data which noted the elevations of the grade which surrounded the previously existing structure. A glance at the nearest house to the east of the True property shows significant additional fill around that structure. Was that the case for the pre-existing cottage such that one cannot casually project from the existing slopes of the abutting properties what were the 'original' contours of the subject property? And it's clear that the relocated "new" driveway removed substantial existing material near the new structure's west side. How much? I cannot speak for the CEO on this matter – it's her call and not mine - yet I can understand that, without some stronger documentation of the grade which existed when the previous structure stood, using the average final grade around the replacement structure is sufficiently justified in making the determination as to building elevation.

Again, this is not my call, but, since you asked, it is my opinion.

Sincerely,

John Holt

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**From:** Town of Lamoine [mailto:town@lamoine-me.gov]  
**Sent:** Monday, April 08, 2019 11:11 AM  
**To:** John Holt  
**Subject:** FW: True Property

John,

Forwarding per Mr. Moldawer's Request.

Stu

# EMAILS

1. Email of April 8, 2019 from AM to CEO and JH
2. Email of April 8, 2019 from JH to AM
3. Email of April 9, 2019 from AM to JH and CEO
4. Email of April 9, 2019 from CEO to AM
5. Email of April 25 from AM to CEO and Reply of same date from CEO

Please Note:

These are the only emails exchanged between or among Alan Moldawer (AM) and the Rebecca Albright (CEO) or John Holt (JH) regarding the True property.

There were none before April 3, 2019, when the letter of “determination” was sent by the CEO to ABM.

In mid-March, AM visited the Town Hall just after the True house went up to speak to the CEO and review the file. At that time, the CEO stated to AM in the presence of JH that she was not even aware that the foundation had gone in let alone that the house had been built. She had not been out to the site or been notified by the owner or builder. She has since told the Selectboard and AM that no foundation inspection was called for or done.

On March 19, AM filed a written complaint to the Town (copy attached).

On April 8, JH emailed AM in reply to AM’s email of the same date to JH and the CEO, to say that he and the CEO had gone out to the site on March 27 (the week before the CEO’s determination) and measured the house from the top ridge to “rough finished grade” only. It was his opinion, he said, although he “could not speak for the CEO” and it was “not his call”, that the house met the height limitation because, he said, there was “no data” on the elevation of the original grade. \*\*

**Subject:** FW: True Property

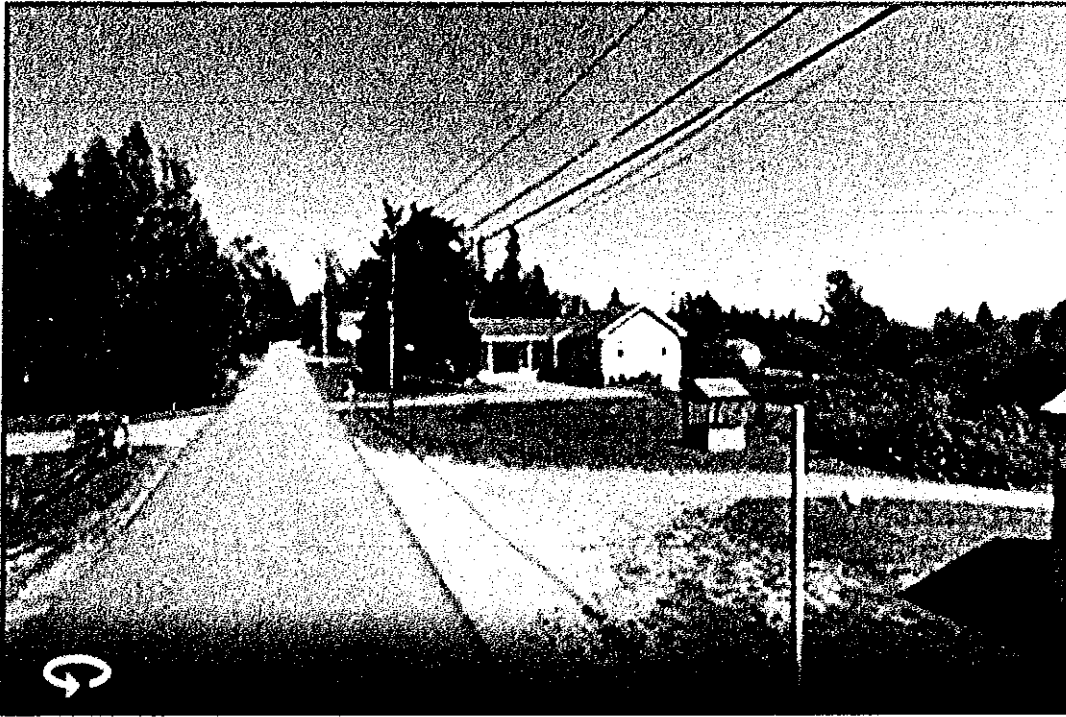
**From:** [alanbmoldawer@gmail.com](mailto:alanbmoldawer@gmail.com) <[alanbmoldawer@gmail.com](mailto:alanbmoldawer@gmail.com)>  
**Sent:** Tuesday, April 09, 2019 9:16 AM  
**To:** 'John Holt & Joyce Cornwell' <[johnjoyce@twc.com](mailto:johnjoyce@twc.com)>; 'Rebecca Ann Albright' <[dreaminadrum@gmail.com](mailto:dreaminadrum@gmail.com)>  
**Cc:** [silverbank@roadrunner.com](mailto:silverbank@roadrunner.com); 'Jonny Brown' <[jonny@warsev.com](mailto:jonny@warsev.com)>; [alanbmoldawer@gmail.com](mailto:alanbmoldawer@gmail.com)  
**Subject:** True Property

John and Rebecca:

Let me first say how we do appreciate the difficulties the Trues presented to the Town in all of their machinations to get a house of this size and location built and the fact that you both went out to measure the height of the structure after it was built. However, what they have done violates the Code. Here are pictures that show the original grade of the True "lot" (hardly a lot).

Rather than this being a surprise to the Town or being caught off guard, however, Laura Lyell tells us that many times she complained to the Town and warned the Town that the True house was going to violate the Code before it was built, and, in particular, the height limit with all the fill that they were bringing in. She tells us that there were many truckloads of earth brought in to raise the original grade (which had a significant downward slope) to the offensive heights it is now. Its hard to understand how, with these warnings, the Town was not aware of the height issue as it was being constructed.

These first two photos taken from Laurel Lyell's property show the original grade of the True "lot" and original Candy Cottage. Note that the new house is not in the same location as the Candy Cottage, but was "moved" the left in this picture. Note also the yellow garage of the neighbor to the right in Photo #1 and Photo #5. Compare that with the #4 photo below to see how dramatically the ground was filled in order to boost the height of the foundation and finished house.



See below in #4 and #5 how much the grade was raised from the road on a original downward slope and how the yellow garage, shown in Photo #1 above, is now well below the level of the True rough finished grade. The average height is much greater on the south side, where the original ground sloped down toward the shore.

Photo #4

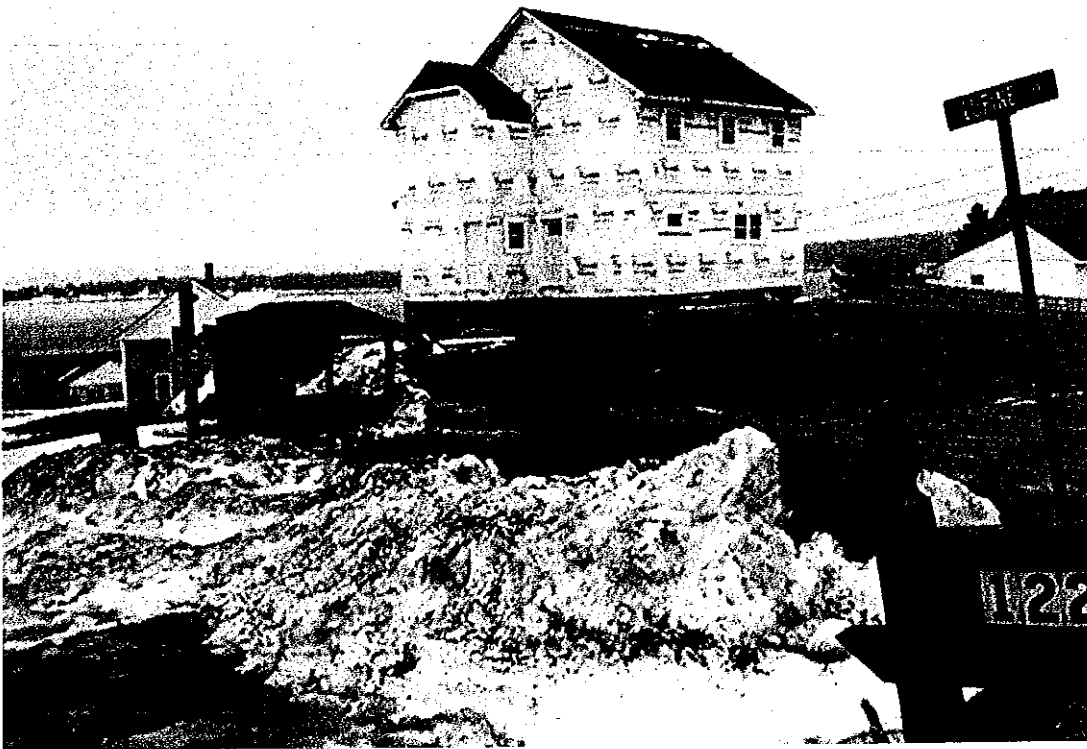


Photo #5



Thank you.

Alan B. Moldawer

Attorney at Law

15 Brown Lane

Lamoine, Maine 04605

301-526-2695

Admitted Maryland and District of Columbia

**alanbmoldawer@gmail.com**

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**From:** Rebecca Ann Albright <dreaminadrum@gmail.com>  
**Sent:** Tuesday, April 09, 2019 5:10 PM  
**To:** Alan Moldawer  
**Subject:** Re: True Property  
**Attachments:** image002.png

Hi Alan. I will be back from my official vacation on Friday. I will be in the office then and formally review everything you sent me. Thanks, Rebecca

On Tue, Apr 9, 2019, 1:06 PM <[alanbmoldawer@gmail.com](mailto:alanbmoldawer@gmail.com)> wrote:

John and Rebecca: Please see attached to add to the photos. Prior to construction, shows original location of driveway (since relocated to the west, where Candy Cottage sat before being removed) and location of street sign and well feature. Current construction is substantially raised above original grade and downward slope.

**From:** Rebecca Ann Albright <dreaminadrum@gmail.com>  
**Sent:** Thursday, April 25, 2019 8:52 AM  
**To:** Alan Moldawer  
**Subject:** Re: True Property

Alan I went to California for a while. While I was there the town received a judgment regarding the gravel pit battle and I have been very focused on that since I got back. However a couple of weeks ago I did prepare my final statement I'm the True property and passed it on to the selectmen. Rebecca

On Thu, Apr 25, 2019, 8:31 AM <[alanbmoldawer@gmail.com](mailto:alanbmoldawer@gmail.com)> wrote:

Hi Rebecca:

Have not heard back from you since this April 9 email but it appears that the Town has okayed the True house completion and its underway again. I do think the Town should know that there is not a soul in Marlboro, aside from the True or Harris family, that does not believe the Town has ignored height violation, and they are not unhappy about it. The pictures I sent you showing the original grade show the house is higher than 35 feet from original grade. There was the ability of the Town to have known this, to have checked the height from original grade, having been warned about it before it went up. Even after, original grade can be easily found. It didn't apparently and I won't trespass. This problem, I think, rests not at your feet but the Town's feet and its laissez-faire attitude toward building and code enforcement. One could joke that the Town can force them to put up a stockade fence to hide it, but its not funny to the people who have to live with it. All for a rental property, and watch for multi-family rentals in it next. Bad roads, gravel pits, and uncontrolled code violations (land clearing in the shoreland area) adds up to only old people like me wanting to live here for the "rural character." Anyway, if you still intend to respond, I'll share it with the neighbors. Thanks. Hope your vacation went well.

Alan

Alan B. Moldawer

Attorney at Law

15 Brown Lane

Lamoine, Maine 04605

301-526-2695

Admitted Maryland and District of Columbia

# LETTERS

1. Complaint letter from AM to CEO, JH and Town, delivered March 19, 2019
2. Reply of March 20, 2019 from CEO to AM indicating receipt of Complaint
3. Determination letter from CEO to AM, dated April 3, 2019
4. Letter from AM to JH and CEO, dated April 7, 2018
5. Appeal letter from AM to Board of Appeals, delivered May 2, 2019

Please Note: These are the only letters exchanged between or among Alan Moldawer (AM) and the Rebecca Albright (CEO) or John Holt (JH) regarding the True property prior to this Appeal.

There were none between the date of the Complaint letter of March 19, 2019, and the CEO's March 20 acknowledgement of the Complaint, and the CEO's letter of April 3 communicating her "determination" that the True house did not exceed the height limitation because it was 33'9" to the "fill" (which "was quite deep in some areas").

In mid-March, AM visited the Town Hall just after the True house went up to speak to the CEO and review the file. At that time, the CEO stated to AM in the presence of JH that she was not even aware that the foundation had gone in let alone that the house had been built. She had not been out to the site or been notified by the owner or builder. She has since told the Selectboard and AM that no foundation inspection was called for or done.

On April 8, JH emailed AM in reply to AM's email of the same date to JH and the CEO, to say that he and the CEO had gone out to the site on March 27 (the week before the CEO's determination) and measured the house from the top ridge to "rough finished grade" only. It was his opinion, he said, although he "could not speak for the CEO" and it was "not his call", that the house met the height limitation because, he said, there was "no data" on the elevation of the original grade. \*\*

*COPY  
original hand-delivered  
to Town Hall clerk  
3/19/19*

Alari B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605

March 18, 2018

Mr. John Holt, Planning Board Chair  
Ms. Rebecca Albright, Code Enforcement Officer  
Town of Lamoine  
Lamoine, Maine 04605

Re: Building Permit for Lot 48

Dear Mr. Holt and Ms. Albright:

I am writing to complain to the Town over the issuance of a Building Permit for the construction of a new, three story, 2,600 square foot house with planned 400+ square foot garage and 330+ square foot deck on Lot 48 in Tax Map 16 of Lamoine (Marlboro). The house is owned by Mr. and Mrs. True. The Lot is owned by a condominium association in which the Trues are part owners. A Building Permit should not have been issued for the dwelling.

Ostensibly, the house being built was intended to replace a small, 700-900 square foot, one-story seasonal cottage owned by the Trues and known as the "Candy Cottage" which was once located on Lot 48-1 before that lot was combined in 2018 with three others (Lots 48-2, 48-3 and 48-4 owned by Mrs. True's siblings), to form a single lot, Lot 48, under condominium form of ownership. The Candy Cottage, which could have remained under Lamoine Zoning Ordinance, was torn down last year by the owners, Mr. and Mrs. True. Nothing has been rebuilt on that location.

Before addressing the likely violations of the Lamoine Zoning Ordinance, the notion of grandfathering should be addressed. Nothing of relevance in the Ordinance speaks to "grandfathering" except as to a "Non-Conforming Structure" (the Candy Cottage), which would have been allowed to remain, and a "Non-Conforming Lot of Record", which had to exist of record prior to 1999, in order to be built upon. Common sense, if not the Ordinance itself, should have dictated that a Building Permit should not have been issued to replace a very small Non-Conforming Structure on a Non-Conforming Lot with a new house, garage and deck more than five (5) times the size of the original structure on a newly-created Non-Conforming Lot 48. Aside from the obvious disregard that the owners have for the character of the neighborhood and sight lines of their neighbors, the new construction makes Lot 48, already greatly exceeding the

minimum lot size required per dwelling unit, significantly more in violation of the 40,000 square foot per dwelling unit standard, as well as the Lot Coverage limits in the Ordinance.<sup>1</sup>

As the Town knows, Lot 48 is a “Non-Conforming Lot” in that there are now, with the new house and structures, four (4) dwellings located on it. Lot 48 contains only 79,200 square feet, enough under the Lot Standards of the Lamoine Zoning Ordinance for just one dwelling. Lot 48 is also Non-Conforming in that it has only 107 feet of frontage on Marlboro Beach Road. The fact that the owners combined their four (4) individual lots into a single lot and converted them into a condominium form of ownership under the Maine Condominium Act did nothing to alter the application of local building and land use ordinances to the underlying real property. In fact, it can be said, the conversion of the ownership of the four (4) separate Non-Conforming Lots (which themselves were not of record before 1976 or 1999) into one newly-created lot means that Lot 48 cannot be considered a “Non-Conforming Lot of Record” and there is nothing in the Ordinance, express or implied, to grant the owner the right to build another dwelling unit on it. Once razed, the right of the Candy Cottage to remain as a Non-Conforming Structure under the Ordinance ceased. Once ceased, there was no right conferred to the Trues to build a new house on Lot 48.

Restated, Lot 48 is not a “Non-Conforming Lot of Record” existing as of either 1976 or 1999 as defined in Section 5.H. of the Ordinance. At the time the Building Permit was issued, Lot 48 already had three (3) dwelling units on it, which exceeded the Lot Standards limitation of one dwelling unit per 40,000 square feet. The Candy Cottage was razed and, therefore, no longer qualified as a Non-Conforming Structure which would have been “*allowed to remain solely because it was in lawful existence at the time the Ordinance was adopted.*” (emphasis added). Tearing it down did not “grandfather” to the owners of Lot 48 a right to build a fourth residence where Lot 48 does not have the Minimum Lot Size required—either in terms of square footage or road frontage.

Even if the Town were to disregard the fact that Lot 48 is now a single lot created in 2018 and to consider that the approximate 20,000 square feet that has been “assigned” or “allocated” to Mr. and Mrs. True as a Non-Conforming Lot of Record, a fiction that is not recognized in the Ordinance, a Building Permit should not have allowed the Trues to tear down a small, one-story seasonal cottage of 700-900 square feet and then start new construction of a three-story house almost 5 times the size of the Candy Cottage, that is to say, approximately 4,000 square feet of structure. The “Net Maximum Density” (40,000 sf per dwelling) on Lot 48 was already well-exceeded by the three remaining structures.

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<sup>1</sup> The four (4) dwellings may also violate the Maximum Lot Coverage (25%) of Lot 48, including recent additions to one house, the new house, garage, deck and other structures, roadway, driveways and parking areas, but that is to be determined.

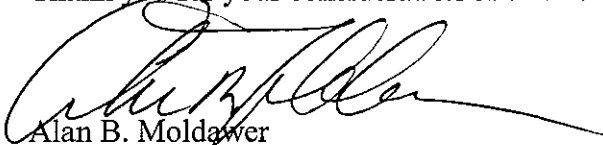
### Height Restriction Is Likely Exceeded

Also, in an apparent effort to be able to see over the Harris' dwelling units located south of the new house, the builder built a very high foundation and artificially raised the grade surrounding the foundation. While it is difficult to know without trespassing upon the property, the Building Height of the house appears to exceed the 35 feet "Building Height" limit as defined in the Ordinance. The "Building Height" is the vertical distance from the highest point of the structure to the average finished grade or to the average original grade around the foundation, whichever is greater. Since the original grade, seen in the attached photos at the level of the private road with telephone poles and the architectural well feature, is well below the new, raised finished grade, the Building Height was required to be measured from the highest point of the house to the average of the original grade, not the finished grade. The Building Height measured from the top of the house to average original grade appears to be well more than 35 feet. It also is another reason not to grant a variance or exception to the owners to extend the proposed deck over the setback lines from their relocated roadway running up against the foundation.

I do not know the True family and hope not to create animosities in the small settlement here known as Marlboro. However, the structure they are building shows little concern for their neighbors or the neighborhood, and the Town, going forward, should examine what it has done in apparent disregard for the letter and spirit of the Lamoine Zoning Ordinance, or, in the alternative, to consider changes to the Ordinance to prevent a repeat of the mistakes made here. I am not alone among those in Marlboro who have expressed concerns about this new construction. Better means of notice to surrounding property owners needs to be given before permits are issued on non-conforming lots or that involve non-conforming structures,

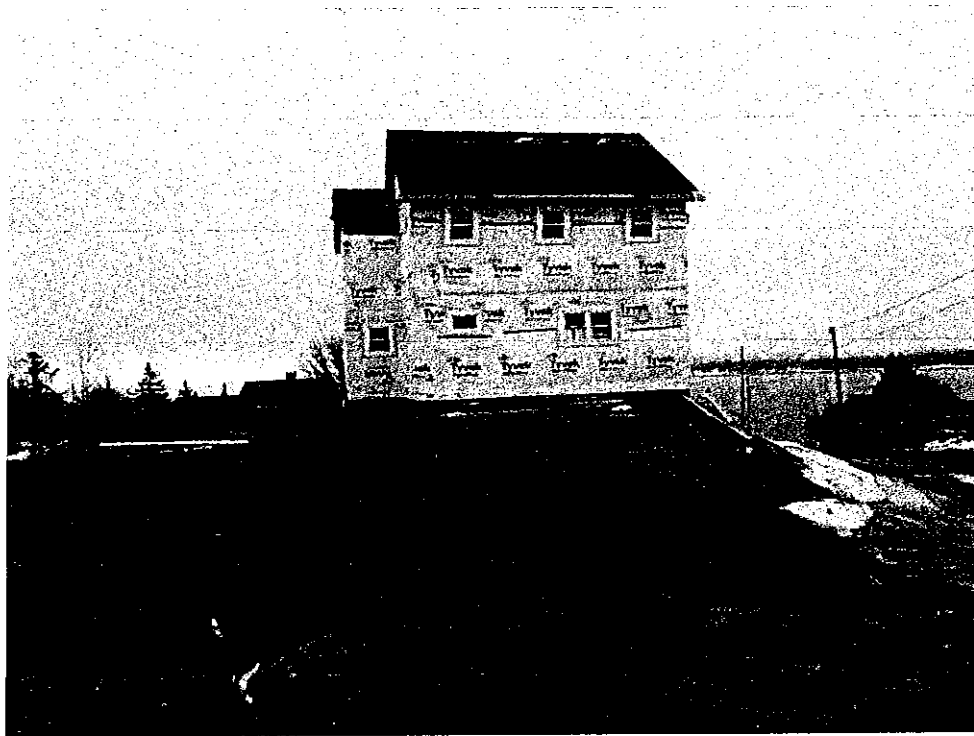
As always, I appreciate the courtesy and time the Code Enforcement Officer took to share with me the Town's permit file for Lot 48 and discuss my concerns.

Thank you for your consideration of this complaint.



Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605








OFFICE OF CODE ENFORCEMENT  
REBECCA ALBRIGHT, CEO  
606 DOUGLAS HIGHWAY  
LAMOINE, ME 04605  
(207) 667-2242

MARCH 20, 2019

DEAR MR. MOLDAWER,

I RECEIVED YOUR LETTER TODAY. I MADE A COPY OF IT  
AND GAVE IT TO JOHN HOLT.

THANK YOU FOR SHARING YOUR CONCERNS WITH US.

A handwritten signature in black ink, appearing to read 'Rebecca Albright', with a stylized flourish at the end.

REBECCA ALBRIGHT, CEO

Office of Code Enforcement  
Rebecca Albright, CEO  
606 Douglas Highway  
Lamoine, ME 04605  
(207) 667-2242

April 3, 2019

Alan Moldower  
15 Brown Lane  
Lamoine, ME 04605

Dear Alan,

I am writing to tell you that I (with assistance), got over to the True house last week and spent some time measuring. Enclosed please find work sketch.

I appreciate your concern about the height of the building.

The "bottom Line" is that the structure measures 28' 10". Thus leaving 6' 2" of additional height.

However, as you know, the building site is on a downhill grade. The grade of the project starts at 97.5' above sea level and drops to 93.5' above sea level. I got these figures from a survey done by Herrick & Salsbury prior to any earth moving activity. The building is 28 wide thus rendering a 28:4 or 7:1 original grade slope.

Obviously, the fill is quite deep in some areas (near the new driveway especially), and much shallower in others. The alphabet letters refer to the amount of fill at each corner. I come up with an average height for the building of about 33' 9".

I just wanted to let you know that I have made this determination and based on your concerns, I am mailing it to you right now.

Sincerely,



Rebecca Albright, CEO

Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605

April 7, 2019

Mr. John Holt, Planning Board Chair  
Ms. Rebecca Albright, Code Enforcement Officer  
Town of Lamoine  
Lamoine, Maine 04605

Re: Building Permit for Lot 48

Dear Rebecca and John:

Thank you for your letter of April 3, 2019 regarding the measurements you took of the True house and the conclusions you drew from them. However, questions remain. The applicable Town Building and Land Use Code sections regarding the permitted height of a residential building are the following, I believe.

***SECTION 6. CONSTRUCTION STANDARDS (p. 13)***

***A. Height: No principal or accessory conventional structure shall exceed two stories in height nor shall any structure exceed 35 vertical feet (See definition of building height), except for municipal buildings, steeples, silos, detached barns, water towers or other accessory structures not designed for human habitation.***

***Section 17. Definitions (p. 56)***

***B. Definitions of key terms***

***Building Height: The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater. (Emphasis on "whichever is greater.")***

As can easily be observed at the site (as well as in photos taken of the site before construction), the finished grade was raised substantially above original grade in order to boost the height of the house. By a straightforward reading of the definition of Building Height, the building height in this case is required to be measured not from the highest point to the "rough finished grade," as you state, but from the highest point to the "average grade of the original ground." The difference is significant. Quite clearly, the distance from the highest point to the average original grade is considerably greater than the finished grade and exceeds an average of 35 feet.

I don't understand your statement in your letter that the "bottom line" is that the structure measures 28' 10", thus leaving 6'2" of additional height. How does a measurement from the highest point of the house (the ridge) to the "Bottom Trim Board" (as noted on your worksheet)

have any relevance here? Is it to suggest that there would be 6'2" allowed from the trim board down to the average original grade and that you have determined that it is less than 6'2" to original grade? That would be very hard to believe given what is known of the original grade.

Most significant here is the fact that the distance to the average original grade is what must be measured, not the finished grade. Thus, the distance from the highest point to the "final grade, 3/27/2019" is the wrong measurement. Why has not the Town applied the clear language of the Code to measure the building height?

Finally, I also don't understand the significance of reference to the slope of the lot, except that as the original grade slopes downward toward sea level, the building height must be lowered also, or the extra distance to original ground accounted for in the measurements. The downward slope of the original grade potentially makes the average distance greater, not less. Fill, raising the ground in this case, must be disregarded.

I am sorry that I cannot get into the Town Hall this week to discuss this further, but want to continue to try to understand the application of the Code to this property and continue my complaint. Thank you.



Alan

Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605

## APPEAL OF CODE ENFORCEMENT OFFICER DECISION

Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605

May 2, 2019

Board of Appeals  
Town of Lamoine  
Lamoine, Maine 04605

Re: Building Permit for Lot 48

To Whom it May Concern:

The decision of the Code Enforcement Officer not to apply the Building Height standard to the construction of the new True house on Lot 48 and not to find a violation of the building height, as well as other possible violations noted below, is hereby appealed to the Board of Appeals. The Lamoine Building and Land Use Ordinance is unmistakably clear when it defines "Building Height" as the distance from the highest point of the structure to either the average final grade or the average original grade, whichever is greater.

The final grade of the property, post-construction, was substantially raised. The "greater distance", therefore, is from the top of the structure to the original grade. Neighbors estimate (without trespassing) that the final grade was raised at least 10 feet. This is not a matter of "semantics" as has been suggested by the CEO. The Code is clear.

As the CEO said at the April 25, 2019 Board of Selectman meeting (viewed by the undersigned on tape this morning), and as confirmed by John Holt, Planning Board Chair, who was present and also briefly spoke, 10-foot basement walls were built upon a foundation set at the original grade and no inspections of the foundation or property while under construction were made. The house is modular and went up on the basement walls in a matter of a few days.

In addition to the Building Height limitation measured from the top of the structure to the original grade, the house has three (3), not two (2), stories. The only way that it can be argued it has two stories is that fill was brought in to raise the final grade on the north side of the first level walls, leaving the south side of the house open to show its full, three stories.

The applicable Code sections are as follows:

### ***SECTION 6. CONSTRUCTION STANDARDS (p. 13)***

***A. Height: No principal or accessory conventional structure shall exceed two stories in height nor shall any structure exceed 35 vertical feet (See definition of building height), except***

*for municipal buildings, steeples, silos, detached barns, water towers or other accessory structures not designed for human habitation.*

**Section 17. Definitions (p. 56)**

**B. Definitions of key terms**

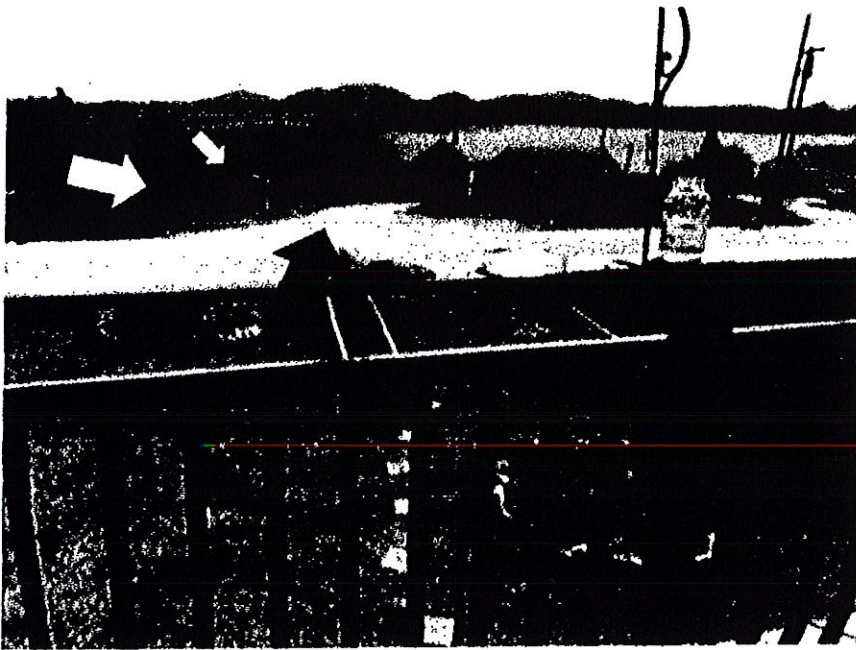
***Building Height: The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater. (Emphasis on "whichever is greater.")***

As can easily be observed at the site (as well as in photos taken of the site before construction), the finished grade was raised substantially above original grade in order to boost the height of the house. By a straightforward reading of the definition of Building Height, the building height in this case is required to be measured not from the highest point to the "rough finished grade," as CEO stated in her letter of April 3, 2019, but from the highest point to the "average grade of the original ground." The difference is significant. Quite clearly, the distance from the highest point to the average original grade is considerably greater than the finished grade and well exceeds an average of 35 feet.

The house should be reduced in height and no occupancy permit should be issued until the violations noted above and below are corrected.



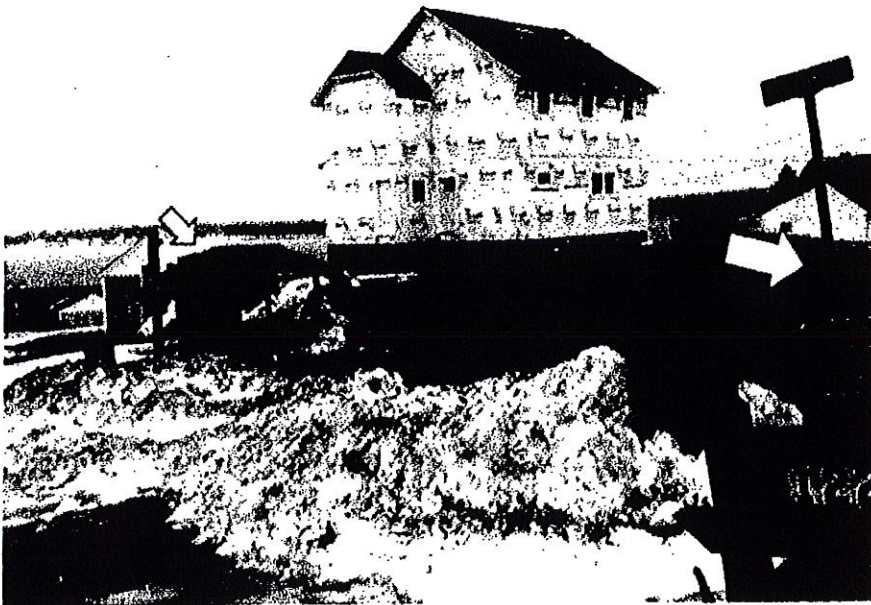
Below are photos of the True lot evidencing the original grade. Clearly, the original grade was substantially below the raised, final grade. The house was built on the spot where the driveway shown below was located. The original grade is at the level of the well feature and goes down from there.



Large white arrow: street sign, not moved.

Small white arrow: well feature, not moved.

Red arrow: where original driveway was and original grade. Now well beneath fill.



In addition, maximum lot coverage of 25%, including structures, driveways and parking lots (Section Part I – General Requirements, Section, I. Lot Standards and Structure Setback Table) has likely been violated, as designed with the addition of parking, a garage and deck on less than about 1/5 of an acre. There are now 4 houses on a total 1.8 acre parcel.

Questions have also been raised with the CEO regarding the adequacy of the septic system and leach field. There has not been an adequate evaluation of the septic system to determine if it is of adequate size for the structure being constructed. The septic system intended to be used was installed years ago for a small, 700-900 sf, two-bedroom, seasonal cottage.

The undersigned requests a hearing before the Board of Appeals.

Thank you.

Respectfully submitted,

Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605

Cc: Mr. John Holt, Planning Board Chair  
Ms. Rebecca Albright, Code Enforcement Officer

Exhibit 15 A

## Town of Lamoine

**From:** alanbmoldawer@gmail.com  
**Sent:** Monday, April 08, 2019 10:09 AM  
**To:** 'Rebecca Ann Albright'; town@lamoine-me.gov  
**Cc:** alanbmoldawer@gmail.com  
**Subject:** True Property  
**Attachments:** IMG\_7056 (002).jpg

Dear Rebecca and John:

Can you please forward this to John Holt?

Thank you for your letter of April 3, 2019 regarding the measurements you took of the True house and the conclusions you drew from them. However, questions remain. The applicable Town Building and Land Use Code sections regarding the permitted height of a residential building are the following, I believe.

### **SECTION 6. CONSTRUCTION STANDARDS (p. 13)**

- A. Height: No principal or accessory conventional structure shall exceed two stories in height nor shall any structure exceed 35 vertical feet (See definition of building height), except for municipal buildings, steeples, silos, detached barns, water towers or other accessory structures not designed for human habitation.**

### **Section 17. Definitions (p. 56)**

OR

#### **B. Definitions of key terms**

**Building Height: The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater. (Emphasis on "whichever is greater.")**

elevation

As can be observed at the site (as well as in photos taken of the site before construction), the finished grade was raised substantially above original grade in order to boost the height of the house. By a straightforward reading of the definition of Building Height, the building height in this case is required to be measured not from the highest point to the "rough finished grade" as you state, but from the highest point to the "average grade of the original ground." Quite clearly, the distance from the highest point to the average original grade is considerably greater than the finished grade.

I don't clearly understand your statement in your letter that the "bottom line" is that the structure measures 28' 10", thus leaving 6'2" of additional height. How does a measurement from the highest point of the house (the ridge) to the "Bottom Trim Board" (as noted on your worksheet) have any relevance here? Is it to suggest that there would be 6'2" allowed from the trim board down to the average original grade and that you have determined that it is less than 6'2" to original grade? That would be very hard to believe given what we know of the original grade. See photo. The original grade, at its highest point, was no higher than where their driveway is.

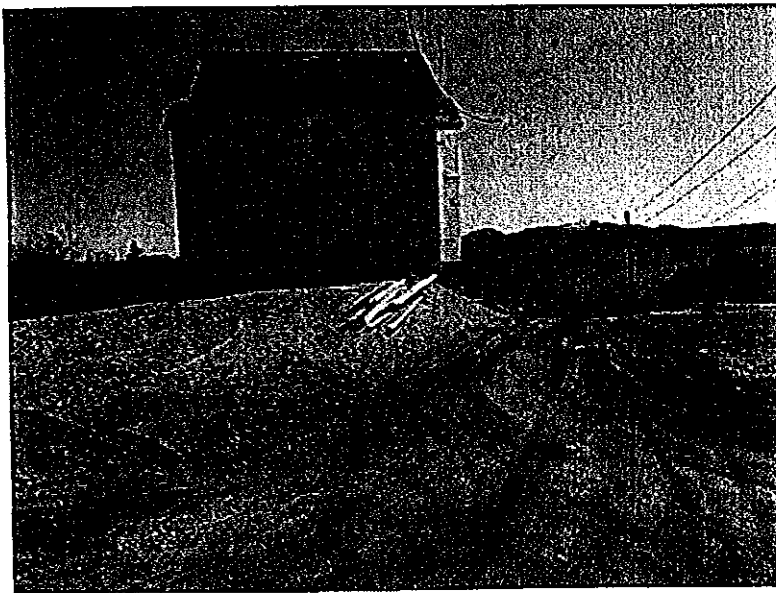
① notice of vjo  
② procedure for correction

Most significant here is the fact that the distance to the average original grade is what must be measured, not the finished grade. Thus, the distance from the highest point to the "final grade, 3/27/2019" is the wrong measurement. Why has not the Town applied the language of the Code to measure the building height?

Finally, I don't understand the significance of reference to the slope of the lot, except that as the original grade sloped downward toward sea level, the building height must be lowered also. The downward slope of the original grade potentially makes the average distance greater, not less. Fill, in this case, must be disregarded.

This structure clearly exceeds 35' from the ridge to the average original grade. The builder knew that in raising the foundation to a height well above original grade and then raising the grade.

I am sorry that I cannot get into the Town Hall this week, but want to continue to try to understand the application of the Code to this property. It does not appear that it is being applied correctly, and I want to continue this complaint. Thank you.



xx "its  
real"  
great  
son of

Thank you.

Alan

Alan B. Moldawer  
Attorney at Law  
15 Brown Lane  
Lamoine, Maine 04605  
301-526-2695  
Admitted Maryland and District of Columbia  
Corporate Illinois

$$1 \text{ acre} = 43,560 \text{ sq'}$$

$$1.7 \text{ acre} = 74,052 \text{ sq'}$$

$$1.7 \text{ acre} = 74,052 \text{ sq'}$$

$$25\% \text{ of } 74,052 \text{ sq'} = 18,513 \text{ sq'}$$

18,513 sq' TOTAL allowed  
for all house "footprints" and  
driveways/parking lots

$$18,513 \text{ sq'} = \approx .43 \text{ acre}$$

almost  $\frac{1}{2}$  acre

Conclusion - Lot 16 MAP 48  
is not in excess  
of the required  
25% total lot coverage  
allowed

Exhibit 15 A

## Town of Lamoine Property Tax Records 2017/18

Property Owners	Map & Lot	Frontage	Value	Building Value	Taxable Value	Personal Property	Total Tax
Mailing Address	Book & Page	Physical Location	Exemptions	Exemptions	Real Estate Tax	Pers Prop Tax	Homestead Ex.
		Acres	Taxable Land	Taxable Bldg			Net Tax Due
Arnold, Richard C	M 16 L 46	Road 141	\$377,400	\$392,600	\$770,000		\$8,239.00
& Marion O Arnold	B 2332 P 45	Shore 225				BETE	
15 1/2 Water St. Apt 11		Acres 3.58	\$377,400	\$392,600	\$8,239.00		\$8,239.00
Mystic, CT 06355	102 Marlboro Beach Rd.						
	Raccoon Cove						
Goodrich, David	M 16 L 46-1	Road 69	\$361,800	\$93,400	\$455,200		\$4,870.64
& Lorna B. Goodrich	B 1452 P 303	Shore 205				BETE	
155 Congress St		Acres 3.22	\$361,800	\$93,400	\$4,870.64		\$4,870.64
Brooklyn, NY 11201	28 Memont Avenue						
	Raccoon Cove						
Cardano, John W.	M 16 L 47	Road 110	\$101,500	\$113,300	\$214,800		\$2,298.36
	B 6624 P 240	Shore				BETE	
110 Marlboro Beach Rd.		Acres 0.49	\$101,500	\$113,300	\$2,298.36		\$2,298.36
Lamoine, ME 04605	110 Marlboro Beach Road						
	Rte 204						
Marlboro Association Trust,	M 16 L 48	Road 115	\$423,000	\$375,000	\$798,000		\$8,538.60
Rob't, William, John, Richard & Kathryn B	1484 P 94	Shore 107				BETE	
122 Lupine Lane		Acres 1.70	\$423,000	\$375,000	\$8,538.60		\$8,538.60
Lamoine, Me 04605	101 Lupine Lane						
	Raccoon Cove						
Hamm, Carolyn E.	M 16 L 49	Road 190	\$544,200	\$324,300	\$868,500		\$9,292.95
Mary Ellen Kimball	B 2918 P 179	Shore 210				BETE	
9 Starfish Lane		Acres 2.51	\$544,200	\$324,300	\$9,292.95		\$9,078.95
Lamoine, ME 04605	3 Starfish Lane						
	Starfish Lane						
Moldawer, Lyle L	M 16 L 49-1	Road 155	\$229,500	\$118,900	\$348,400		\$3,727.88
& Elaine M. Moldawer	B 1936 P 261	Shore 155				BETE	
2357 NW 14th Place		Acres 1.80	\$229,500	\$118,900	\$3,727.88		\$3,727.88
Gainesville, FL 32605	8 Brown Lane						
	Raccoon Cove						
Moldawer, Alan B	M 16 L 50	Road 154	\$230,100	\$281,300	\$511,400		\$5,471.98
& Brenda S. Moldawer	B 1936 P 258	Shore 155				BETE	
241 May St.		Acres 1.60	\$230,100	\$281,300	\$5,471.98		\$5,471.98
Elmhurst, IL 60128	15 Brown Lane						
	Raccoon Cove						
Farrar, Ralph B. Jr.	M 16 L 51	Road	\$81,100		\$81,100		\$867.77
Janice P. Farrar	B 2717 P 167	Shore 275				BETE	
148 Marlboro Beach Rd.		Acres 0.81	\$81,100		\$867.77		\$867.77
Lamoine, ME 04605							
	Raccoon Cove						
Farrar, Amy-Lynne	M 16 L 51-1	Road 356	\$181,700	\$284,300	\$466,000		\$4,986.20
	B 1690 P 412	Shore				BETE	
Marlboro Beach Road		Acres 2.03	\$181,700	\$284,300	\$4,986.20		\$4,772.20
	148 Marlboro Beach Road						

107' x 1' 6" HP  
5/6ths  
one  
COMING

**FURNACE.** A vented heating *appliance* designed or arranged to discharge heated air into a *conditioned space* or through a duct or ducts.

**GLAZING AREA.** The interior surface area of all glazed fenestration, including the area of sash, curbing or other framing elements, that enclose *conditioned space*. Includes the area of glazed fenestration assemblies in walls bounding conditioned basements.

**GRADE.** The finished ground level adjoining the building at all *exterior walls*.

**GRADE FLOOR OPENING.** A window or other opening located such that the sill height of the opening is not more than 44 inches (1118 mm) above or below the finished ground level adjacent to the opening.

**GRADE PIPING.** See "Slope."

**GRADE PLANE.** A reference plane representing the average of the finished ground level adjoining the building at all *exterior walls*. Where the finished ground level slopes away from the *exterior walls*, the reference plane shall be established by the lowest points within the area between the building and the *lot line* or, where the *lot line* is more than 6 ft (1829 mm) from the building between the structure and a point 6 ft (1829 mm) from the building.

**GRIDDED WATER DISTRIBUTION SYSTEM.** A water distribution system where every water distribution pipe is interconnected so as to provide two or more paths to each fixture supply pipe.

**GROSS AREA OF EXTERIOR WALLS.** The normal projection of all *exterior walls*, including the area of all windows and doors installed therein.

**GROUND-SOURCE HEAT PUMP LOOP SYSTEM.** Piping buried in horizontal or vertical excavations or placed in a body of water for the purpose of transporting heat transfer liquid to and from a heat pump. Included in this definition are closed loop systems in which the liquid is recirculated and open loop systems in which the liquid is drawn from a well or other source.

**GUARD.** A building component or a system of building components located near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to the lower level.

**HABITABLE SPACE.** A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered *habitable spaces*.

**HANDRAIL.** A horizontal or sloping rail intended for grasping by the hand for guidance or support.

**HANGERS.** See "Supports."

**HAZARDOUS LOCATION.** Any location considered to be a fire hazard for flammable vapors, dust, combustible fibers or other highly combustible substances.

**HEAT PUMP.** An *appliance* having heating or heating/cooling capability and that uses refrigerants to extract heat from air, liquid or other sources.

**HEATING DEGREE DAYS (HDD).** The sum, on an annual basis, of the difference between 65°F (18°C) and the mean temperature for each day as determined from "NOAA Annual Degree Days to Selected Bases Derived from the 1960-1990 Normals" or other weather data sources acceptable to the code official.

**HEIGHT, BUILDING.** The vertical distance from *grade plane* to the average height of the highest roof surface.

**HEIGHT, STORY.** The vertical distance from top to top of two successive tiers of beams or finished floor surfaces; and, for the topmost *story*, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.

**HIGH-EFFICACY LAMPS.** Compact fluorescent lamps, T-8 or smaller diameter linear fluorescent lamps or lamps with a minimum efficacy of:

1. 60 lumens per watt for lamps over 40 watts.
2. 50 lumens per watt for lamps over 15 watts to 40 watts.
3. 40 lumens per watt for lamps 15 watts or less.

**HIGH-TEMPERATURE (H.T.) CHIMNEY.** A high temperature chimney complying with the requirements of UL 103. A Type H.T. chimney is identifiable by the markings "Type H.T." on each chimney pipe section.

**HILL.** With respect to topographic wind effects, a land surface characterized by strong relief in any horizontal direction.

**HORIZONTAL BRANCH, DRAINAGE.** A drain pipe extending laterally from a soil or waste stack or *building drain*, that receives the discharge from one or more *fixture drains*.

**HORIZONTAL PIPE.** Any pipe or fitting that makes an angle of less than 45 degrees (0.79 rad) with the horizontal.

**HOT WATER.** Water at a temperature greater than or equal to 110°F (43°C).

**HURRICANE-PRONE REGIONS.** Areas vulnerable to hurricanes, defined as the U.S. Atlantic Ocean and Gulf of Mexico coasts where the basic wind speed is greater than 90 miles per hour (40 m/s), and Hawaii, Puerto Rico, Guam, Virgin Islands, and America Samoa.

**HYDROGEN GENERATING APPLIANCE.** A self-contained package or factory-matched packages of integrated systems for generating gaseous hydrogen. Hydrogen generating *appliances* utilize electrolysis, reformation, chemical, or other processes to generate hydrogen.

**IGNITION SOURCE.** A flame, spark or hot surface capable of igniting flammable vapors or fumes. Such sources include *appliance* burners, burner ignitions and electrical switching devices.

**INDIRECT WASTE PIPE.** A waste pipe that discharges into the drainage system through an air gap into a trap, fixture or receptor.

**INDIVIDUAL SEWAGE DISPOSAL SYSTEM.** A system for disposal of sewage by means of a septic tank or mechanical treatment, designed for use apart from a public sewer to serve a single establishment or building.

Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605

March 18, 2018

Mr. John Holt, Planning Board Chair  
Ms. Rebecca Albright, Code Enforcement Officer  
Town of Lamoine  
Lamoine, Maine 04605

Re: Building Permit for Lot 48

Dear Mr. Holt and Ms. Albright:

I am writing to complain to the Town over the issuance of a Building Permit for the construction of a new, three story, 2,600 square foot house with planned 400+ square foot garage and 330+ square foot deck on Lot 48 in Tax Map 16 of Lamoine (Marlboro). The house is owned by Mr. and Mrs. True. The Lot is owned by a condominium association in which the Trues are part owners. A Building Permit should not have been issued for the dwelling.

Ostensibly, the house being built was intended to replace a small, 700-900 square foot, one-story seasonal cottage owned by the Trues and known as the "Candy Cottage" which was once located on Lot 48-1 before that lot was combined in 2018 with three others (Lots 48-2, 48-3 and 48-4 owned by Mrs. True's siblings), to form a single lot, Lot 48, under condominium form of ownership. The Candy Cottage, which could have remained under Lamoine Zoning Ordinance, was torn down last year by the owners, Mr. and Mrs. True. Nothing has been rebuilt on that location. *- to achieve a building that is completely conforming*

Before addressing the likely violations of the Lamoine Zoning Ordinance, the notion of grandfathering should be addressed. Nothing of relevance in the Ordinance speaks to "grandfathering" except as to a "Non-Conforming Structure" (the Candy Cottage), which would have been allowed to remain, and a "Non-Conforming Lot of Record", which had to exist of record prior to 1999, in order to be built upon. Common sense, if not the Ordinance itself, should have dictated that a Building Permit should not have been issued to replace a very small Non-Conforming Structure on a Non-Conforming Lot with a new house, garage and deck more than five (5) times the size of the original structure on a newly-created Non-Conforming Lot 48. Aside from the obvious disregard that the owners have for the character of the neighborhood and sight lines of their neighbors, the new construction makes Lot 48, already greatly exceeding the

*however the Ordinance  
NOT common sense dictates*

*Exhibit # 7 A*

*it was ALWAYS a  
single lot*

not in violation  
because grandfather  
non-conforming lot  
of record

minimum lot size required per dwelling unit, significantly more in violation of the 40,000 square foot per dwelling unit standard, as well as the Lot Coverage limits in the Ordinance.<sup>1</sup>

As the Town knows, Lot 48 is a "Non-Conforming Lot" in that there are now, with the new house and structures, four (4) dwellings located on it. Lot 48 contains only 79,200 square feet, enough under the Lot Standards of the Lamoine Zoning Ordinance for just one dwelling. Lot 48 is also Non-Conforming in that it has only 107 feet of frontage on Marlboro Beach Road. The fact that the owners combined their four (4) individual lots into a single lot and converted them into a condominium form of ownership under the Maine Condominium Act did nothing to alter the application of local building and land use ordinances to the underlying real property. In fact, it can be said, the conversion of the ownership of the four (4) separate Non-Conforming Lots (which themselves were not of record before 1976 or 1999) into one newly-created lot means that Lot 48 cannot be considered a "Non-Conforming Lot of Record" and there is nothing in the Ordinance, express or implied, to grant the owner the right to build another dwelling unit on it. Once razed, the right of the Candy Cottage to remain as a Non-Conforming Structure under the Ordinance ceased. Once ceased, there was no right conferred to the Trues to build a new house on Lot 48.

Restated, Lot 48 is not a "Non-Conforming Lot of Record" existing as of either 1976 or 1999 as defined in Section 5.H. of the Ordinance. At the time the Building Permit was issued, Lot 48 already had three (3) dwelling units on it, which exceeded the Lot Standards limitation of one dwelling unit per 40,000 square feet. The Candy Cottage was razed and, therefore, no longer qualified as a Non-Conforming Structure which would have been "*allowed to remain solely because it was in lawful existence at the time the Ordinance was adopted.*" (emphasis added). Tearing it down did not "grandfather" to the owners of Lot 48 a right to build a fourth residence where Lot 48 does not have the Minimum Lot Size required—either in terms of square footage or road frontage.

Even if the Town were to disregard the fact that Lot 48 is now a single lot created in 2018 and to consider that the approximate 20,000 square feet that has been "assigned" or "allocated" to Mr. and Mrs. True as a Non-Conforming Lot of Record, a fiction that is not recognized in the Ordinance, a Building Permit should not have allowed the Trues to tear down a small, one-story seasonal cottage of 700-900 square feet and then start new construction of a three-story house almost 5 times the size of the Candy Cottage, that is to say, approximately 4,000 square feet of structure. The "Net Maximum Density" (40,000 sf per dwelling) on Lot 48 was already well-exceeded by the three remaining structures.

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<sup>1</sup> The four (4) dwellings may also violate the Maximum Lot Coverage (25%) of Lot 48, including recent additions to one house, the new house, garage, deck and other structures, roadway, driveways and parking areas, but that is to be determined.

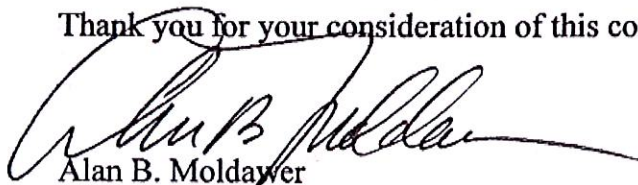
### Height Restriction Is Likely Exceeded

Also, in an apparent effort to be able to see over the Harris' dwelling units located south of the new house, the builder built a very high foundation and artificially raised the grade surrounding the foundation. While it is difficult to know without trespassing upon the property, the Building Height of the house appears to exceed the 35 feet "Building Height" limit as defined in the Ordinance. The "Building Height" is the vertical distance from the highest point of the structure to the average finished grade or to the average original grade around the foundation, whichever is greater. Since the original grade, seen in the attached photos at the level of the private road with telephone poles and the architectural well feature, is well below the new, raised finished grade, the Building Height was required to be measured from the highest point of the house to the average of the **original grade, not the finished grade**. The Building Height measured from the top of the house to average original grade appears to be well more than 35 feet. It also is another reason not to grant a variance or exception to the owners to extend the proposed deck over the setback lines from their relocated roadway running up against the foundation.

I do not know the True family and hope not to create animosities in the small settlement here known as Marlboro. However, the structure they are building shows little concern for their neighbors or the neighborhood, and the Town, going forward, should examine what it has done in apparent disregard for the letter and spirit of the Lamoine Zoning Ordinance, or, in the alternative, to consider changes to the Ordinance to prevent a repeat of the mistakes made here. I am not alone among those in Marlboro who have expressed concerns about this new construction. Better means of notice to surrounding property owners needs to be given before permits are issued on non-conforming lots or that involve non-conforming structures.

As always, I appreciate the courtesy and time the Code Enforcement Officer took to share with me the Town's permit file for Lot 48 and discuss my concerns.

Thank you for your consideration of this complaint.



Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605

COPY

Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605

May 24, 2019  
5/24/19

Jennifer Kovacs  
Town Clerk  
Town of Lamoine  
Lamoine, Maine 04605

Dear Ms. Kovacs:

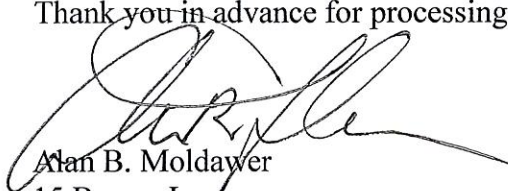
Pursuant to **the Maine Freedom of Access Act**, (1 M. R. S. A. § 401 et seq.), I respectfully request a copy of all records contained within the Code Enforcement Officer's file(s) applicable to the building permit issued to Mr. and Mrs. Thomas True on Lupine Lane, Lot 48 or 48-1, in the Marlboro section of Lamoine. This would include, without limitation, all internal memoranda, emails, correspondence, notes, any records relating to inspections conducted and permits applied for and/or issued for a septic system for the house now under construction.

I am willing to pay all lawful and reasonable costs associated with this request. Or, if permitted, I can assist in making copies at the Town Hall. In either case, please inform me of any cost that must be paid in advance.

If you intend to deny this public interest in whole or in part, I request that you advise me, in writing, of the particular statutory exemption upon which you are relying, and an explanation for doing so, as required by Chapter 13 of the Maine Statutes. Also, if the exemption you are claiming applies to only a portion of a record please delete the exemption section and release the remainder of the records as required by law.

In light of the nature and importance of the records requested, please make them available within five (5) days or sooner, if possible. If you have any questions about this request, please call me at the number listed below.

Thank you in advance for processing my request.



Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605  
301-526-2695